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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**VICTOR M. MARKOWITZ**

Serial No. 09/862,424

Filed: May 23, 2001

For: **SYSTEM AND METHOD FOR  
MANAGING GENE EXPRESS DATA**

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) Art Unit: 2171  
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**PETITION FOR REVIVAL OF AN APPLICATION UNINTENTIONALLY  
ABANDONED UNDER 37 C.F.R. § 1.137(b)**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Please revive the above-referenced application which would have become abandoned October 23, 2001 for failure to respond to the Notice to File Missing Parts dated August 23, 2001. No notice of abandonment has been received from the PTO, and according to the PTO PAIR system, no such notice was ever issued. This petition is filed within one year of the date on which the application would have become abandoned.

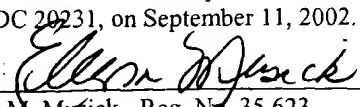
The entire delay in prosecuting the application from the due date for a Response to Notice to File Missing Parts until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional.

09/17/2002 BNGUYEN1 00000024 09862424

01 FC:205  
02 FC:241

~~65.00 OP~~  
640.00 OP

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on September 11, 2002.

  
Eleanor M. Musick - Reg. No. 35,623

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SEP 20 2002

OFFICE OF PETITIONS

Accompanying this petition are:

- (1) Response to Notice to File Missing Parts, along with copy of Formalities Letter;
- (2) Executed Declaration and Power of Attorney;
- (3) Submission of Substitute Drawings and 7 sheets of drawings;
- (4) Filing fee in the amount of \$640 for Petition to Revive ;
- (5) Late-filing surcharge in the amount of \$65.

WHEREFORE, applicant requests that the above-referenced patent application be revived.

Respectfully submitted,



By: Eleanor M. Musick  
Reg. No. 35,623

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